

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY AVERY,

Plaintiff,

v.

BAY AREA RAPID TRANSIT POLICE
OFFICERS DOES 1-25,

Defendant.

Case No. [22-cv-08940-SI](#)

**ORDER GRANTING PLAINTIFF'S
ADMINISTRATIVE MOTION TO
EXTEND DEADLINE FOR SERVICE;
CONTINUING CASE MANAGEMENT
CONFERENCE**

Re: Dkt. No. 17

On March 24, 2023, the Court issued an order to show cause why this case should not be dismissed for failure to prosecute, because plaintiff had not served defendants, and the deadline for service was March 16, 2023. Dkt. No. 14. The Court ordered that plaintiff complete service by March 30, 2023. *Id.*

On March 30, 2023, plaintiff filed his proposed summons. Dkt. No. 16. Plaintiff also filed an administrative motion for relief from the 90-day service deadline imposed by Federal Rule of Civil Procedure 4(m). Dkt. No. 17.

The Court GRANTS plaintiff's administrative motion. **Plaintiff shall have until May 15, 2023, to serve defendants. Failure to do so may result in dismissal of this case without prejudice, for failure to prosecute.**

The initial case management conference currently scheduled for April 28, 2023, is **CONTINUED to June 16, 2023. The parties shall file a joint case management conference statement by June 9, 2023.**

IT IS SO ORDERED.

Dated: March 31, 2023



SUSAN ILLSTON
United States District Judge